

A M E N D M E N T

Please amend the above-identified application as follows:

In the claims:

Please CANCEL **claim 192** without prejudice.

REMARKS

Claims 177-189 and 193-195 remain in this application, claim 192 having been canceled in this paper. The pending claims stand rejected and are now presented for reconsideration in view of the following remarks.

The pending claims stand "rejected under 35 USC §103(a) as being unpatentable" over an asserted combination of the Nielsen and Harte references, with further reliance on "Official Notice".

Claim 177 is directed to a "computer implemented expert matching method for managing communications between an expert and an end user". The claimed method includes "receiving a first expert qualification corresponding to a first expert", "selecting a second expert that has a second expert qualification" where the second expert qualification is "higher than the first expert qualification", "transmitting the first expert qualification to the second expert" and "receiving a signal from the second expert that indicates approval of the first expert qualification".

Thus, in the computer implemented expert matching method recited in claim 177, an expert to be matched with an end user has his or her qualifications approved by a second expert. This helps to assure than an expert provided for communication with an end user is appropriately qualified.

In explaining the rejection of claim 177, the Examiner asserted that it "reads on" a procedure carried out in the USPTO whereby a patent examiner is assigned to examine a particular patent application.

Applicants find it very doubtful that PTO procedures for assigning a patent examiner to examine a particular patent application are pertinent to the claimed computer implemented expert matching system. Nevertheless, it is assumed for the sake of argument that a patent examiner can be considered an "expert" and an applicant's attorney can be considered an "end user" as those terms are used in claim 177. Even so, nothing in USPTO procedure entails the claimed steps of "receiving a first expert qualification corresponding to a first expert", nor "transmitting the first expert qualification to a second expert", nor "receiving a signal from a second expert that indicates approval of the first expert qualification".

The claimed feature of "receiving a signal from the second expert that indicates approval of the first expert qualification" is also clearly lacking in the Nielsen reference. Nielsen contains no teaching of having a second expert approve a first expert's qualification. Furthermore, the Harte reference, being concerned with an instructional and testing device, has nothing to do with the claimed subject matter of a computer implemented expert matching method. In any case, Harte certainly does not supply the element, lacking in the other art cited by the Examiner, of receiving a signal from a second expert that indicates approval of a first expert qualification.

Thus, claim 177 is submitted as being patentable over the art cited by the Examiner, at least because of its recitation of the step of "receiving a signal from the second expert that indicates approval of the first expert qualification", since this step is not taught or suggested by any of the art relied upon by the Examiner.¹

¹ Applicants note the Examiner's resort to "Official Notice" in rejecting the claims. Applicants hereby specifically challenge the Examiner's reliance upon Official Notice. In the event that the Examiner chooses to maintain any of the present rejections, it is requested that the Examiner cite one or more specific documents to support the teachings for which Official Notice was purportedly availed of.

Claims 178 and 185 recite the same step of "receiving a signal from the second expert that indicates approval of the first expert qualification" that serves to patentably distinguish claim 177 from the prior art relied upon by the Examiner. Accordingly, claims 178 and 185 are submitted as patentable on the same basis as claim 177.

Similarly, claim 179 recites "receiving a signal from [a] set of experts that indicates approval of the first expert qualification". Again, this step is not present in any of the prior art relied upon by the Examiner and is believed to render claim 179 patentably distinguished from the prior art.

Claim 193 is directed to a "computer implemented expert matching method for managing communications between an expert and an end user". The claimed method includes "storing a database of experts", "receiving a question from the end user", "providing to the end user a list of at least one expert from the database of experts", "allowing the end user to select an expert from the list", "transmitting at least a portion of the question to the selected expert", "receiving from the selected expert an expert answer responsive to the question" and "transmitting the expert answer to the end user".

In regard to claim 193 it is noted that the Nielsen reference lacks any teaching of the step of "allowing the end user to select an expert from the list". Rather, in Nielsen, selection of an expert to respond to a question is performed automatically by a computer system. Neither has the Examiner indicated that the step of "allowing the end user to select an expert from the list" is taught or suggested by any other portion of the prior art. Accordingly, claim 193 is submitted as being patentable since its feature of allowing the end user to select an expert from a list is not taught or suggested by the prior art.

Claim 195 is directed to a "computer implemented expert matching method for managing communications between an expert and an end user". The claimed method includes "receiving an end user request from the end user", "transmitting the end user request to at least one expert", "receiving at least one bid on the end user request from the at least one expert", "transmitting the at least one bid to the end user", "allowing the end user to select an expert who corresponds to a transmitted bid", "notifying the selected expert of acceptance of the selected expert's bid", "receiving from the selected expert an expert answer responsive to the end user request" and "transmitting the expert answer to the end user".

Applicants note that the Nielsen reference contains no teaching concerning the steps of receiving a bid on an end user request from an expert, nor transmitting such a bid to the end user. Neither are these steps present elsewhere in the prior art. Accordingly, claim 195 is submitted as being patentable over the prior art by virtue of its recitation of "receiving at least one bid on the end user request from the at least one expert" and "transmitting the at least one bid to the end user".

Each of the other pending claims is dependent on one or another of the independent claims that have been discussed hereinabove. The dependent claims are submitted as patentable on the same basis as the respective parent independent claims.

Conclusion

For the foregoing reasons it is submitted that all of the claims are now in condition for allowance and the Examiner's early re-examination and reconsideration are respectfully requested.

Alternatively, if there remains any question regarding the present application or any of the cited references, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact Dean Alderucci at telephone number 203-461-7337 or via electronic mail at Alderucci@WalkerDigital.com.

Petition for Extension of Time to Respond

Applicants hereby petition for a **one-month** extension of time with which to respond to the Office Action. Please charge \$110.00 for this petition to our Deposit Account No. 50-0271. Please charge any additional fees that may be required for this Response, or credit any overpayment to Deposit Account No. 50-0271.

If an extension of time is required, or if an additional extension of time is required in addition to that requested in a petition for an extension of time, please grant a petition for that extension of time which is required to make this Response timely, and please charge any fee for such extension to Deposit Account No. 50-0271.

Respectfully submitted,



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